

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EDWARD GILLIGAN et al.,  
Plaintiffs,

v.

ROBERTA F. KANIVE et al.,  
Defendants.

CASE NO. C11-5061BHS/JRC

ORDER ON OBJECTIONS TO PRIOR  
RULINGS

This 42 U.S.C. §1983 civil rights matter, which was removed from state court, has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4. Plaintiffs have filed a document entitled “objections to courts (sic) denial of plaintiffs (sic) motion to compel discovery” (ECF No. 18).

The first matter the court will address is Mr. Hargrove’s statement that the court is mistaken and that plaintiff Hargrove filed no motion seeking a 60-day extension of time, only a letter to the clerk of court (ECF No. 18. ¶ 2.9). In the letter, plaintiff asks the court and clerk’s office to note his pro se status. He also asks the court and clerk for any extensions that can be

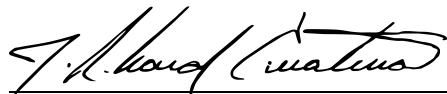
1 provided. The letter is considered a motion because it asks for court action. The court liberally  
2 construed the letter as a motion given that the plaintiffs are pro se. Further, defendants' counsel  
3 filed a declaration and motion (ECF No. 14 and 15). In the declaration, counsel explains why a  
4 discovery conference was delayed until April 5, 2011. Counsel was in trial. Counsel states that  
5 plaintiffs requested an extension of time during the discovery conference and defendants did not  
6 object. Defendants' counsel agreed to bring the motion as a joint motion (ECF No. 14).

8 The next issue is the motion to compel. Plaintiffs filed the motion nearly a week before  
9 the discovery conference took place (ECF No. 13). The court did not err in denying the motion.  
10 Plaintiffs' pro se status does not relieve them of complying with procedural rules. Further, it  
11 does not relieve them of paying the cost of copies of file documents or medical files.

12 Review of the file convinces the court that its previous order was appropriate. Therefore,  
13 to the extent the "objection" may be considered as a motion for reconsideration, the motion is  
14 DENIED.

16 The Clerk of Court is directed to send a copy of this Order to plaintiffs and remove ECF  
17 No. 18 from the court calendar.

18 DATED this 22nd day of April, 2011.

20 

21 J. Richard Creatura  
22 United States Magistrate Judge  
23  
24  
25  
26